

MEADE COUNTY WATER DISTRICT

P.S.C. Ky. No. 1

Cancels P.S.C. Ky. No.

MEADE COUNTY WATER DISTRICT

OF

MEADE COUNTY, KENTUCKY

Rates, Rules and Regulations for Furnishing
Water Service

AT

Southeastern portion of Meade County

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

JUL 28 1987

PLACED IN TO BE RECALLED
SECTION 11

BY *J. Deaghegan*

Filed with PUBLIC SERVICE COMMISSION OF
KENTUCKY

ISSUED 2-10-87, 19 87

EFFECTIVE 7-28, 19 86

ISSUED BY MEADE COUNTY WATER DISTRICT
(Name of Utility)

BY GEORGE W. THOMAS JR.
Chairman

Form for filing Rate Schedules

RECEIVED

DEC 04 1995

For SOUTHEASTERN PORTION OF
Community, Town or City
MEADE COUNTY
P.S.C. NO. 1 case no. 89-335PUBLIC SERVICE COMMISSION THIRD REVISED SHEET NO. 3MEADE COUNTY WATER DISTRICT
Name of Issuing CorporationCANCELLING P.S.C. NO. 3ORIGINAL SHEET NO. 1

CLASSIFICATION OF SERVICE

		RATE PER UNIT
The following rates and charges are prescribed for the customers receiving water service from Meade County Water District.		
<u>MONTHLY RATES</u>		
First 2,000 Gallons	\$14.55 Minimum Bill	
Next 5,000 Gallons	7.25 per 1,000	
Next 10,000 Gallons	6.95 per 1,000	
Next 20,000 Gallons	6.25 per 1,000	PUBLIC SERVICE COMMISSION
Over 37,000 Gallons	5.25 per 1,000	OF KENTUCKY
		EFFECTIVE
<u>SERVICE CONNECTION CHARGE</u>		
5/8-inch x 3/4-inch meter	\$500.00	
All connection larger than		
5/8-inch x 3/4-inch	Actual cost	
<u>RECONNECTION CHARGE</u>	\$15.00	
<u>DEPOSITS</u>		
Not to exceed two-twelfths (2/12) of the estimated annual bill		
<u>OTHER SPECIAL CHARGES</u>		
Customer requested meter test	\$5.00	
Late Charges	10 percent	
<u>BULK RATE</u>	\$5.25 per 1,000 gall	
Any fire departments which does not receive public funds from the Commonwealth of Kentucky, or any political subdivision thereof, for the purpose of offsetting fifty percent or more of its operational expenses may withdraw water from MEADE COUNTY WATER DISTRICT'S facilities at no charge to extinguish fires or for firefighting training. A fire department making such withdrawals from MEADE COUNTY WATER DISTRICT'S facilities shall provide an estimate of its withdrawals to MEADE COUNTY WATER DISTRICT at the end of each month.		

DEC 01 1995

PURSUANT TO 807 KAR 5.011.
SECTION 9(1)BY: Jordan C. Neel
FOR THE PUBLIC SERVICE COMMISSIONDATE OF ISSUE 12-01-95DATE EFFECTIVE 12-01-95ISSUED BY GEORGE W. THOMAS, JR. George W. Thomas, Jr. TITLE CHAIRMAN OF COMMISSION
Name of OfficerIssued by authority of an Order of the Public Service Commission of Kentucky
in Case No. _____ dated _____

FOR Southeastern portion of Meade
County

P.S.C. Ky. No. 1

Original Sheet No. 2

Cancelling P.S.C. Ky. No. _____

Sheet No. _____

MEADE COUNTY WATER DISTRICT

RULES AND REGULATIONS

The following rules and regulations are adopted, subject to change by the Water District Commission at any time, subject to approval of the Public Service Commission through the filing of revised tariff sheets with the PSC. These rules and regulations are intended to supplement the Bond Resolution, the Rate Resolution, and the by-laws.

- A. All taps and connections to the mains of the District shall be made by and/or under the direction and supervision of District personnel.
- B. The District may discontinue service to a customer or may refuse service to an applicant in accordance with the provisions of subsections (1) and (3) of 807KAR5:006 (11) of the regulations of the Public Service Commission. A copy of the Public Service Commission Regulations is attached to these Rules And Regulations. Seven specific reasons for discontinuance of service are listed as follows:
1. Misrepresentation in the application or contract as to the property or fixtures to be supplied or additional use to be made of water.
 2. Failure to report to the District additions to the property or fixtures to be supplied or additional use to be made of water.
 3. Resale of water.
 4. Waste or misuse of water due to improper or imperfect service pipes and/or failure to keep such pipes in a suitable state of repair.
 5. Tampering with meter, meter seal, service, or valves, or permitting such tampering by others.
 6. Connection, cross connection, or permitting the same of any separate water supply to premises which receive water from the District.
 7. When a dangerous condition is found to exist on the

DATE OF ISSUE February 10, 1987
Month Day Year

DATE EFFECTIVE July 28 1986
Month Day Year

ISSUED BY

George W. Thomas Jr.
Name of Officer

Chairman
Title

Rt. 1 Box 228 Vine Grove Ky.
Address 40175

FOR Southeastern portion of Meade

P.S.C. Ky. No. 1 County

Original Sheet No. 3

Cancelling P.S.C. Ky. No. _____

Sheet No. _____

MEADE COUNTY WATER DISTRICT

RULES AND REGULATIONS

customer's or applicant's premises, with reference to the continuation of water service, water service shall be cut off without notice or shall be refused, provided the

District shall notify the customer or applicant immediately of the reasons for the discontinuance or refusal and the correction action to be taken by the applicant or customer before service can be restored.

- C. Any Customer desiring to discontinue the water service to his premises for any reason must give notice of discontinuance in person or in writing at the business office of the District at least three (3) days prior to the date on which the customer desires to discontinue service, and the customer shall not be liable for water consumed beyond the date of discontinuance stated in such notice; if such notice in person or writing is not given, a customer shall remain liable for all water used and service rendered to such premises by the District until such notice is received by the District.
- D. Bills and notices relating to the conduct of the business of the District will be mailed to the customer at the address listed on the user's agreement unless a change of address has been filed in writing with the District; and the District shall not otherwise be responsible for delivery of any bill or notice nor will the customer be excused from the payment of any bill or any performance required in said notice.
- E. 1. Bills for water service are due and payable at the office of the District, or to any designated agent, ^{EFFECTIVE} ~~on the date of issue~~ ⁸⁻¹⁻⁸⁷ ~~the date of issue~~. The past due date shall be the tenth day after the date of issue. Bills will be dated and mailed on the first day of each month.
2. All bills not paid on or before the past due date shall be deemed delinquent. When a bill has been delinquent for a period of twenty days, the District shall serve a customer a written final notice of said delinquency, and of the intent of the District to discontinue service ten

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DATE EFFECTIVE July 28 1986
Month Day Year

ISSUED BY George W. Thomas Jr. Chairman Rt. 1 Box 228 Vine Grove, Ky. 40177
Name of Officer Title Address

P.S.C. NO. 1Original SHEET NO. 4

MEADE COUNTY WATER DISTRICT

Name of Issuing Corporation

CANCELLING P.S.C. NO. _____

SHEET NO. _____

CLASSIFICATION OF SERVICE
RULES & REGULATIONRATE
PER UNIT

days after the date of such notice unless such bill is paid prior to the expiration of such ten days. If a delinquent bill is not paid within ten days after date of such final notice (thirty days from the past due date), the water supply to the customer may be discontinued without further notice; provided, however, if, prior to discontinuance of service, there is delivered to the District, or to its employees empowered to discontinue service, a written certificate signed by a physician, a registered nurse, or a public health officer that, in the opinion of the certifier, discontinuance of service will aggravate an existing illness or infirmity on the affected premises, service shall not be discontinued until the affected resident can make other living arrangements or until (10) days elapse from the time of the District's receipt of said certification, whichever occurs first.

- F. Where the water supply to the customer has been discontinued for non-payment of delinquent bills, a charge of \$15.00 will be made for reconnection of water service, but the reconnection will not be made until all delinquent bills and other charges, if any, owed by the customer to the District have been paid.
- G. The District reserves the right to request that a nominal amount be placed on deposit with the District for the purpose of establishing or maintaining any customer's credit, such amount not to exceed two-twelfths (2/12) of the estimated annual bill of such customer. Upon the payment of such deposit, the District shall issue to such customer a certificate of deposit, showing the name of the customer, the location of the initial premises occupied by the customer, and the date and the amount of the deposit. The District will pay to such customer interest on such deposit at the rate of six percent (6%) per annum, until such deposit is reimbursed to the customer.

C-6-93

SECTION 1 (1)

BY: J. GeorgeDATE OF ISSUE Feb. 10, 1987DATE EFFECTIVE July 28, 1986ISSUED BY George W. Thomas Jr.
Name of OfficerTITLE Chairman

FOR Southeastern portion of Meade
County

P.S.C. Ky. No. 1

Original Sheet No. 5

Cancelling P.S.C. Ky. No. _____

Sheet No. _____

MEADE COUNTY WATER DISTRICT

RULES AND REGULATIONS

- H. All meters shall be installed, renewed, and maintained at the expense of the District, and the District reserves the right to determined the size and type of meter used.
- I. It shall be the policy of the District to test each water meter at periodic intervals in accordance with the schedule prescribed by section (17) of 807KAR5:066. In addition, upon written request of any customer, the meter serving such customers shall be tested by the District. Such test will be made without charge to the customer if the meter has not been tested in accordance with 807KAR5:066 (17); otherwise, a charge of \$5.00 will be made and then only if the test indicates meter accuracy within the limits of 2%.

If a meter is inaccurate in excess of 2%, whether upon periodic testing or upon requested testing, additional tests shall be mad at once to determine the average error of the meter, and the adjustments shall be made in the customer's water bills as follows

1. If the result of such tests shows an average error greater t 2% fast, the customer's bill for the period during which the meter error is known to have existed, shall be computed and the account adjusted on the basis of the test. If the perio during which the meter error existed cannot be determined, t the customer's bill shall be recomputed for one-half (½) of the elapsed time since the last previous test, but in no eve to exceed 12 months; provided, however, that if time for the periodic test has overrun to the extent that ½ of the time elapsed since the last previous test exceeds 12 months, the refund shall be for the 12 months specified above, plus thos months exceeding the periodic test period; provided, further that such refund may be limited to the 12 month period if failure to make the periodic test was due to cause beyond th control of the District.

JUL 28 1987

PURSUANT TO 807KAR5:011,
SECTION 1

George W. Thomas

DATE OF ISSUE Feb. 10, 1987
Month Day Year

DATE EFFECTIVE July 28, 1986
Month Day Year

ISSUED BY George W. Thomas
Name of Officer

Chairman
Title Address

Form for filing Rate Schedules

For Southeastern portion of Meade
Community, Town or City

P.S.C. NO. 1 County

Original SHEET NO. 6

CANCELLING P.S.C. NO. _____

SHEET NO. _____

MEADE COUNTY WATER DISTRICT

Name of Issuing Corporation

CLASSIFICATION OF SERVICE
RULES AND REGULATIONS

RATE
PER UNIT

2. If the result of such tests shows an average error greater than 2% slow, the customer's bill for the period during which the meter error is known to have existed, shall be recomputed and the account adjusted on the basis of the test. If the period during which the meter error existed cannot be determined, then the customer's bill shall be recomputed for one-half (½) of the elapsed time since the last previous test, but in no event to exceed 12 months.

3. If the result of such tests necessitates making a refund or back billing a customer, the customer shall be notified in writing of the percentage of error, fast or slow, the date(s) of testing, and the amount of charge or credit to be shown on the next bill of the customer.

J. Where a meter has ceased to register, or meter reading could not be obtained, the quantity of water consumed will be based upon an average of the prior six months consumption and condition of water service prevailing during the period in which the meter failed to register.

K. The District shall make all reasonable efforts to eliminate interruptions of service and when such interruptions occur will endeavor to reestablish service with the shortest possible delay. When the service is interrupted all consumers affected by such interruption will be notified in advance whenever it is possible to do so.

L. The District shall in no event be held responsible for any claim made against it by reason of the breaking of any mains or service pipes or by reason of any other interruption of the supply of water caused by the failure of machinery or stoppage for necessary repairs. No person shall be entitled to damages nor for any portion of a payment refunded for any interruption of service which in the opinion of the District may be deemed necessary.

DATE OF ISSUE Feb. 10, 1987

DATE EFFECTIVE July 28, 1986

ISSUED BY

George W. Thomas, Jr.
Name of Officer

TITLE

Chairman

Issued by authority of an Order of the Public Service Commission of Kentucky
in Case No. 9459 dated July 28, 1986

FOR Southeastern portion of Mead
County

P.S.C. Ky. No. 1

Original Sheet No. 7

Cancelling P.S.C. Ky. No.

 Sheet No.

MEADE COUNTY WATER DISTRICT

RULES AND REGULATIONS

- M. Customers having boilers and/or pressure vessels receiving a supply of water from the District must have a check valve on the water supply line and a vacuum valve on the stream line to prevent collapse in case the water supply from the District is discontinued or interrupted for any reason, with or without notice.
- N. The premises receiving a supply of water and all service lines, meters and fixtures, including any fixtures within said premises, shall at all reasonable hours be subject to inspection by the District.
- O. Piping on the premises of a customer must be so installed that connections are conveniently located with respect to the District lines and mains. The customers shall provide a place for metering which is unobstructed and accessible at all times.
- P. (1) An extension of fifty (50) feet or less to the District's distribution main shall be made without charge (other than the prescribed standard connection charge) for a prospective customer who shall apply for and contract to use service for one (1) year or more and who provides a guarantee for such service.
- (2) For each extension to the District's distribution main in excess of fifty (50) feet per customer, the District shall require the customers to whose premises such extension is made to deposit with the District the total cost of the excessive footage over fifty (50) feet per customer, based on the average estimated cost per foot of the total extension. Such deposits may be refundable to the customers in accordance with 807 KAR 5:066. Section 12.
- Q. If any loss or damage to the property of the District or any

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

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PURSUANT TO 207 KAR 5.011,

SECRET
BY J. George

DATE OF ISSUE Feb. 10, 1987
Month Day Year

DATE EFFECTIVE July 28, 1987
Month Day Year

ISSUED BY George W. Thomas Jr. Chairman Rt. 1 Box 228 Vine Grove, Ky.
Name of Officer Title Address 40175

FOR Southeastern portion of Meade

P.S.C. Ky. No. 1 County

Original Sheet No. 8

Cancelling P.S.C. Ky. No. _____

Sheet No. _____

MEADE COUNTY WATER DISTRICT

RULES AND REGULATIONS

accident or other injury. to persons or property is caused by or results from the negligence or wrongful action of the customer, member of his household, his agent, or employee, as determined by a court of law having jurisdiction over the parties, the cost of the necessary repairs or replacements shall be paid by the customer to the District, and liability otherwise resulting shall be that of the customer.

- R. Water furnished by the District may be used for domestic consumption by the customer, member of his household, and employees only. The customer shall not sell the water to any other person.
- S. All customers shall grant or convey, or shall cause to be granted or conveyed, to the District a perpetual easement and right of way across any property owned or controlled by the customer where ever said easement or right of way is necessary for the District water facilities and lines so as to be able to furnish service to the customer.
- T. Complaints may be made to the operator of the system, whose decision may be appealed to the Commission of the District within ten days; otherwise, the operator's decision will be final, unless the complaint has also been filed with the Public Service Commission Of Kentucky, 730 Schenkel Lane, Frankfort, Kentucky, 40601. Customer may call the Commission by toll-free number 800-772-4636.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

JUL 28 1987

PURSUANT TO 007-015-011,
SECTION 10.00

BY George W. Thomas

DATE OF ISSUE Feb. 10, 1987
Month Day Year

DATE EFFECTIVE July 28, 1986
Month Day Year

ISSUED BY George W. Thomas
Name of Officer

Chairman Rt. 1 Box 228 Vine Grove, Ky.
Title Address 40175

Form for filing Rate Schedules

FOR COUNTY
Community, Town or City
P.S.C. NO. 1
SHEET NO.
CANCELLING P.S.C. NO.
SHEET NO.

MEADE COUNTY WATER DISTRICT
Name of Issuing Corporation

CLASSIFICATION OF SERVICE

**R
PER**

DEPOSITS

The Company may require a minimum cash deposit or other guaranty to secure payment of bills except for customers qualifying for service reconnection pursuant to 807 KAR 5:006, Section 15, Winter Hardship Reconnection. Service may be refused or discontinued for failure to pay the requested deposit. Interest, as prescribed by KRS 278.460, ¹ will be paid annually either by refund or credit to the customer's bill, except that no refund or credit will be made if the customer's bill is delinquent on the anniversary date of the deposit.

The deposit may be waived upon a customer's showing of satisfactory credit or payment history, and required deposits will be returned after one (1) year if the customer has established a satisfactory payment record for that period. If a deposit has been waived or returned and the customer fails to maintain a satisfactory payment record, a deposit may then be required. The Company may require a deposit in addition to the initial deposit if the customer's classification of service changes or if there is a substantial change in usage. Upon termination of service, the deposit, any principal amounts, and any interest earned and owing will be credited to the final bill with any remainder refunded to the customer.

In determining whether a deposit will be required or waived, the following criteria will be considered:

1. Previous payment history with the Company. If the customer has no previous history with the Company, statements from other utilities banks, etc. may be presented by the customer as evidence of good credit.
2. Whether the customer has an established income or line of credit
3. Length of time the customer has resided or been located in the area.
4. Whether the customer owns property in the area.
5. Whether the customer has filed bankruptcy proceedings within the last seven years.
6. Whether another customer with a good payment history is willing to sign as a guarantor for an amount equal to the required deposit.

If a deposit is held longer than 18 months, the deposit will be recalculated at the customer's request based on the customer's actual usage. If the deposit on account differs from the recalculated amount by more than \$10.00 for a residential customer or 10 percent for non-residential customer, the Company may collect any underpayment and shall refund any overpayment by check or credit to the customer's bill. A refund will be made if the customer's bill is delinquent at the time of the recalculation.

PURSUANT TO 807 KAR 5:011,
 SECTION 9 (1)

DATE OF ISSUE 5-14-93
ISSUED BY George W. Thomas
Name of Officer

DATE EFFECTIVE 5-14-93
TITLE Chairman of Commission

Issued by authority of an Order of the Public Service Commission

Form for filing Rate Schedules

FOR COUNTY
Community, Town or C.
P.S.C. NO. 1
SHEET NO.
CANCELLING P.S.C. NO.
SHEET NO.

MEADE COUNTY WATER DISTRICT

Name of Issuing Corporation

CLASSIFICATION OF SERVICE

PE

Equal Deposits

ALL

(Insert above: Business/Commercial or residential or all) Customers will pay equal deposits in the amount of \$ \$40.00. This amount does not exceed the average bill of residential customers served by the Company and is equal to 2/12 of the average annual bill. [3/12 where bills are rendered bimonthly or 4/12 where bills are rendered quarterly.]

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

JUN 18 1993

PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)

BY: George W. Thomas
PUBLIC SERVICE COMMISSION MANAGER

DATE OF ISSUE 5-14-93

ISSUED BY George W. Thomas

Name of Officer

DATE EFFECTIVE 5-14-93

TITLE Chairman Of Commission

Issued by authority of an Order of the Public Service Commission

P.O. BOX 367
BRANDENBURG, KY 40108

OFFICE LOCATION:
3600 FLAHERTY ROAD
VINE GROVE, KY 40175
PHONE: (502) 828-3399

P.O. BOX 367
BRANDENBURG, KY 40108

PRESORTED
FIRST-CLASS MAIL
U.S. POSTAGE PAID
BRANDENBURG, KY 40108
PERMIT NO. 10

UNITED SYSTEMS & SOFTWARE, INC. BENTON, KY 42025

ADDRESS CORRECTION REQUESTED				PHONE: (502) 628-3399				U.S. POSTAGE PAID BRANDENBURG, KY 40108 PERMIT NO. 10					
ACCOUNT						TO							
SERVICE AT													
TYPE		PRESENT		PREVIOUS		USAGE		CHARGES					
CLASS		AMOUNT DUE AFTER DUE DATE		DUE DATE		AMOUNT DUE ON OR BEFORE DUE DATE		AMOUNT DUE ON OR BEFORE DUE DATE		SAVE THIS		AMOUNT DUE AFTER DUE DATE	

RATES AVAILABLE UPON REQUEST

 MAIL TO

PLEASE BRING ENTIRE BILL TO OFFICE OR MAIL STUB WITH PAYMENT

BY-LAWS, RULES, AND REGULATIONS OF THE MEADE
COUNTY WATER DISTRICT OF MEADE COUNTY,
KENTUCKY, AS ADOPTED ON AUGUST 5, 1986.

The Board of Commissioners of the above-named Water District, at a meeting held on the date stated above, adopted the following By-Laws, Rules, and Regulations:

PART I - BY-LAWS

ARTICLE 1. NAME. The name of the District is set out in the caption hereof. The principal office of this District shall be located at the place indicated below in this Article, but the District may maintain offices and places of business at such other places within the State as the Commissioners may determine.

The principal office and place of business of this District and the place where water bills shall be paid, shall be as follows:

ARTICLE 2. SEAL. The Seal of the District shall have inscribed thereon the name of the District and such other inscription as the Commissioners may designate and adopt. The Secretary of the District shall have custody of the Seal. Said Seal is affixed hereto at the place indicated in this Article. (Seal of District)

ARTICLE 3. MEMBERSHIP. The customers are the members of this District. The duties of the members are set out hereinafter.

ARTICLE 4. COMMISSIONERS. The Board of Commissioners (the "Commission") is a body corporate as provided by KRS 74.070 and is created in accordance with applicable Kentucky Statutes, and its powers and duties are coincident with such Statutes. The business and affairs of the District shall be conducted by Commissioners who have been appointed pursuant to statute. In view of the present statutory requirements that the Commissioners of the District be selected by the County Judge/Executive of the County referred to in the caption hereof, the customers at the last monthly meeting held in the year prior to the selection of each Commissioner, may by motion of any customer, adopt a motion recommending the names of three or less members of the District for consideration by the County Judge/Executive (with the approval of the Fiscal Court), with the request that one of such members be selected as a Commissioner. Such meeting date shall be determined by the provisions of Article 5 of these By-Laws.

ARTICLE 5. MEETINGS. The Commissioners shall meet at least once every three months, or at such other regular time as may be fixed by Resolution of the Commission, and at such other times as necessary to conduct business. The Chairman, Secretary, or any Commissioner may call such meetings by written notice to each member of the Commission, to each local newspaper of general circulation, to each news service and to each local radio or television station which has on file with the Commission a written request to be notified of special meetings of the Commission, in accordance with KRS 61.805-991, mailed or delivered at least 24 hours in advance of such meeting.

ARTICLE 6. OFFICERS. Officers shall be elected annually at the first meeting of the fiscal year, but in the event the election is not so held, officers shall continue to hold office until an election is requested by one of the Commissioners.

ARTICLE 7. VACANCIES. Vacancies of the Commission shall be filled by the County Judge/Executive.

ARTICLE 8. SECRETARY'S DUTY. The Secretary of the Commission shall keep and preserve all documents of the District, including all contracts, plans, specifications, and applications for governmental assistance, shall record the Minutes of proceedings of the Commission and perform all duties customarily performed by a Secretary of a public body.

ARTICLE 9. TREASURER'S DUTY. The Treasurer of the Commission shall pay out the funds of the Commission only upon presentation of warrants signed by the Chairman and countersigned by the Secretary of the Commission. As compensation for his services the Treasurer shall receive an amount fixed by the Commission, not to exceed two hundred dollars (\$200) per year. He shall execute bond to the Commission in an amount fixed by the Commission.

ARTICLE 10. POWERS. The Commission may acquire and install pipe and water laterals, and operate a water system for the district. The Commission shall be a body corporate for all purposes, and may make contracts for the water district with municipalities and persons for a water supply, and for the sale of water and for all other purposes connected with its business. It may prosecute and defend suits, hire necessary employees, including Commissioners, for duties to which their salary limitation herein shall not apply, and do all acts necessary to carry on the work. It may establish and revise a fiscal year. The Commission shall have all powers granted to Water Districts by the Kentucky Revised Statutes including those set out in KRS Chapter 74 and KRS Chapter 106.

ARTICLE 11. RATES. The Commission may establish and revise water rates and make reasonable regulations for the disposition and consumption of water.

ARTICLE 12. DISPOSITION OF ASSETS. In the event the District terminates business by reason of liquidation or sale of its assets, and in the event there is a sum of money remaining after the District has sold its property and paid its debts of every kind including all bonded indebtedness, then the District shall seek court approval of a distribution of the money based on the following plan:

(a) One-half of said money shall be distributed to the original subscribers, their heirs, devisees, and assigns in direct ratio to the connection fees paid by them prior to construction of the original line;

(b) One-half of said money shall be distributed to each customer, his heirs, devisees, and assigns, who has at any time purchased water from the District in direct ratio to the total water bill the customer paid during the entire operation of the system.

The District does not in any way represent that this means of disposing of the assets of the District in the event of liquidation or sale will be approved by the court.

ARTICLE 13. MISCELLANEOUS. The Commission may acquire a water line or system operating in the District as provided by KRS 74.100.

ARTICLE 14. CONDEMNATION. The Commission may condemn rights of way as provided in KRS 416.010 to 416.080 and KRS 106.220 and 106.240.

ARTICLE 15. CONSENT OF FmHA REQUIRED TO CHANGE BOUNDARIES. So long as the United States is the owner or insurer of any bonds issued by the District, the Commission will not, without the consent of the Farmers Home Administration, United States Department of Agriculture, take any action with respect to diminishing the territorial limits of the District and will notify the Farmers Home Administration of any proposal or petition to diminish the territorial limits of the District as soon as the Commission has acquired knowledge thereof.

ARTICLE 16. TYPES OF BONDS. The Commission may finance the acquisition and the construction of authorized works of improvement by the issuance of (1) special assessment bonds, (2) revenue bonds, or (3) a combined special assessment and revenue bond, payable primarily from water revenue, supplemented when necessary by special assessments. If the combination special assessment and revenue bond is used, the special assessment will not be levied nor will the lien thereof attach until such time as it is necessary to make up any deficit in the water revenue to meet annual obligations.

ARTICLE 17. REFUNDING BONDS. The Commission may issue refunding bonds as provided by KRS 74.320 and 74.330 and KRS Chapter 106.

ARTICLE 18. TIME RECORDS AS TO DISTRICT EMPLOYEES. The Commission shall keep an account of the time spent by all employees employed on an hourly basis and each item of expense incurred in connection with the District.

ARTICLE 19. FEES AND COMPENSATION OF DISTRICT OFFICERS. The fees of officers for services rendered in such capacity shall be the same as fees now allowed by law for similar services in other cases. Such fees shall be taxed as a part of the costs and paid on order of the court. Fees or compensation for any service not otherwise provided for shall be fixed and paid by the Commission.

ARTICLE 20. AWARD OF CONSTRUCTION CONTRACTS. The Commission shall let construction contracts as provided by KRS 74.260, KRS 74.270, KRS Chapter 106, and KRS Chapter 424.

ARTICLE 21. ARRANGEMENTS FOR WORK AND SERVICES RENDERED TO THE DISTRICT. The Commissioners shall secure personnel to repair and maintain water district property including mains, lines, meters, storage tanks, etc., when necessary, shall secure personnel to read meters and shall secure personnel to bill customers. The Commissioners shall retain an attorney to represent the District, and may enter into contracts for services labor and materials as provided in KRS Chapters 74 and 106, for any of the purposes enumerated therein.

ARTICLE 22. CONTRACTS AND SERVICE ARRANGEMENTS. The Commission may make all provisions concerning contracts for sale of water, connection charges, and other disposition of District services and assets, including the plan of collecting proceeds thereof. The system manager may at his discretion discontinue delivery of water to any delinquent customer. The District will install, maintain, and operate a main distribution pipe line or lines from the source of water supply and service lines from the main distribution pipe line or lines to the property line of each customer of the District, if the District Commission determines it is feasible to serve such customer, at which points, designated as delivery points, meters to be purchased, installed, owned, and maintained by the District shall be placed. The cost of service line or lines from the main distribution pipe line or lines of the District to the property line of each customer shall be paid by the District or the customer, or both, in a manner to be determined by the Commission at the time of installation depending upon the length of the service line from its main distribution line or lines, such cut-off valve to be owned and maintained by the District and to be installed on some portion of the service line owned by the District. The District shall have the sole and exclusive right to the use and operation of such cut-off valve.

Each service line shall connect with the District's water system at the nearest available point to the place of desired use by the customer if the District's water system shall be of sufficient capacity to permit the delivery of water through a service line at that point without interfering with the delivery of water through a prior service line. If the District's water system shall be inadequate to permit the delivery of water through a service line installed at such point without interfering with the delivery of water through a prior service line, then such service line shall be installed at a point to be designated by the Commission. Each customer will be required to install and own the service line from the meter to the place of use on his premises and to maintain such portion of the service line.

Each customer shall be entitled to purchase from the District pursuant to such agreements as may from time to time be provided and required by the Commission such water as the customer may desire, subject, however, to the provisions of these By-Laws and to such rules and regulations as may be prescribed by the Commission, provided, however, that should a customer sell or dispose of a portion of his property or subdivide the same, he or the new owner of each such new tract may not demand water and taps without paying connection fees for each such tract to be served.

In the event the total water supply shall be insufficient to meet all the needs of the customers or in the event there is a shortage of water, the Commission may prorate the water available among the various customers on such basis as is deemed equitable by the Commission, and may also prescribe a schedule of hours covering use of water and require adherence thereto or prohibit the use of water for specified purposes.

ARTICLE 23. INSURANCE. The Commission is authorized to secure insurance on storage tanks, if any, and such other properties as the District owns, against fire, windstorms, and other calamity, and liability insurance, in such amounts and with such companies as other privately-owned water systems ordinarily carry.

ARTICLE 24. DISTRICT OWNERSHIP OF LINES AND METERS. The District shall own all lines and meters held by or for it, in the absence of a written agreement to the contrary.

ARTICLE 25. ENGINEERING SERVICES; INSPECTIONS AND REPORTS. The Commission shall secure engineering services for an annual engineering inspection and report dealing with operation and maintenance practice if the Commission desires or if so required by any bondholder or the Federal Government as insurer of the bonds.

ARTICLE 26. CONTRACTS FOR SALE OF WATER. The Commission may contract with any person or entity for the sale of water and if such person or entity is metered within the District boundaries, he or it is a customer of the District for such time as he or it pays the District bills pertaining to such metered connection.

ARTICLE 27. RESTRICTIONS ON AMENDMENTS TO BY-LAWS. The By-Laws shall not be amended without the permission of the majority of holders of outstanding bonds, plus the Farmers Home Administration, United States Department of Agriculture, so long as the United States is the owner or insurer of any bonds issued by the District and so long as any of the bonds remain unpaid.

ARTICLE 28. KENTUCKY LAWS INCORPORATED BY REFERENCE. All applicable Kentucky Statutes which now or may hereafter exist are incorporated herein and made a part of these By-Laws, and the Commissioners may use any powers therein contained in addition to those herein set out. Any provisions herein in violation of the Kentucky Revised Statutes which is now or may hereafter be in effect is null and void, the remainder of these By-Laws to continue in full force and effect.

ARTICLE 29. AUDITS. An annual audit on a fiscal year basis will be made of the books and accounts pertinent to said project by competent auditor. No later than 60 days after the close of each fiscal year copies of such audit reports certified by such accountant shall be promptly mailed to the Farmers Home Administration without request and to any bondholder that may have requested same in writing.

PART II - RULES AND REGULATIONS

The following rules and regulations are hereby adopted, subject to change by the Water District Commission at any time, subject to approval of the Public Service Commission through the filing of revised tariff sheets with the PSC. These rules and regulations are intended to supplement the Bond Resolution, the Rate Resolution, and the By-Laws.

- A. All taps and connections to the mains of the District shall be made by and/or under the direction and supervision of District personnel.
- B. Water service may be discontinued by the District for, upon 10 days' written notice (except that in the event of a violation under Item 7 below, water service may be terminated immediately), any violation of any rule, regulation, or condition, and especially for any of the following reasons:
 - 1. Misrepresentation in the application or contract as to the property or fixtures to be supplied or additional use to be made of water.
 - 2. Failure to report to the District additions to the property or fixtures to be supplied or additional use to be made of water.
 - 3. Resale of water.
 - 4. Waste or misuse of water due to improper or imperfect service pipes and/or failure to keep such pipes in a suitable state of repair.
 - 5. Tampering with meter, meter seal, service, or valves, or permitting such tampering by others.
 - 6. Connection, cross-connection, or permitting the same, of any separate water supply to premises which receive water from the District.
 - 7. When a dangerous condition is found to exist on the customer's or applicant's premises, with reference to the continuation of water service, water service shall be cut off without notice or shall be refused, provided the District shall notify the customer or applicant immediately of the reasons for the discontinuance or refusal and the correction action to be taken by the applicant or customer before service can be restored.

- C. Any customer desiring to discontinue the water service to his premises for any reason must give notice of discontinuance in person or in writing at the business office of the District at least three (3) days prior to the date on which the customer desires to discontinue service, and the customer shall not be liable for water consumed beyond the date of discontinuance stated in such notice; if such notice in person or in writing is not given, a customer shall remain liable for all water used and service rendered to such premises by the District until such notice is received by the District.
- D. Bills and notices relating to the conduct of the business of the District will be mailed to the customer at the address listed on the user's agreement unless a change of address has been filed in writing with the District; and the District shall not otherwise be responsible for delivery of any bill or notice nor will the customer be excused from the payment of any bill or any performance required in said notice.
- E.
 - 1. Bills for water service are due and payable at the office of the District, or to any designated agent, on the date of issue. The past due date shall be the tenth day after the date of issue. Bills will be dated and mailed on the first day of each month.
 - 2. All bills not paid on or before the past due date shall be deemed delinquent. When a bill has been delinquent for a period of twenty days, the District shall serve a customer a written final notice of said delinquency, and of the intent of the District to discontinue service ten days after the date of such notice unless such bill is paid prior to the expiration of such ten days. If a delinquent bill is not paid within ten days after date of such final notice (thirty days from the past due date), the water supply to the customer may be discontinued without further notice; provided, however, if, prior to discontinuance of service, there is delivered to the District, or to its employee empowered to discontinue service, a written certificate signed by a physician, a registered nurse, or a public health officer that, in the opinion of the certifier, discontinuance of service will aggravate an existing illness or infirmity on the affected premises, service shall not be discontinued until the affected resident can make other living arrangements or until ten (10) days elapse from the time of the District's receipt of said certification, whichever occurs first.
- F. Where the water supply to the customer has been discontinued for non-payment of delinquent bills, a charge of \$15.00 will be made for reconnection of water service, but the reconnection will not be made until all delinquent bills and other charges, if any, owed by the customer to the District have been paid.

- G. The District reserves the right to request that a nominal amount be placed on deposit with the District for the purpose of establishing or maintaining any customer's credit, such amount not to exceed two-twelfths ($2/12$) of the estimated annual bill of such customer. Upon the payment of such deposit, the District shall issue to such customer a certificate of deposit, showing the name of the customer, the location of the initial premises occupied by the customer, and the date and amount of the deposit. The District will pay to such customer interest on such deposit at the rate of six percent (6%) per annum, until such deposit is reimbursed to the customer.
- H. All meters shall be installed, renewed, and maintained at the expense of the District, and the District reserves the right to determine the size and type of meter used.
- I. It shall be the policy of the District to test each water meter at least once every 12 months. In addition, upon written request of any customer, the meter serving such customer shall be tested by the District. Such test will be made without charge to the customer if the meter has not been tested within 12 months preceding the requested test; otherwise, a charge of \$2.00 will be made and then only if the test indicates meter accuracy within the limits of 2%.

If a meter is inaccurate in excess of 2%, whether upon periodic testing or upon requested testing, additional tests shall be made at once to determine the average error of the meter, and the adjustments shall be made in the customer's water bills as follows:

1. If the result of such tests shows an average error greater than 2% fast, the customer's bill for the period during which the meter error is known to have existed, shall be recomputed and the account adjusted on the basis of the test. If the period during which the meter error existed cannot be determined, then the customer's bill shall be recomputed for one-half ($1/2$) of the elapsed time since the last previous test, but in no event to exceed 12 months; provided, however, that if time for the periodic test has overrun to the extent that $1/2$ of the time elapsed since the last previous test exceeds 12 months, the refund shall be for the 12 months specified above, plus those months exceeding the periodic test period; provided, further, that such refund may be limited to the 12 month period if failure to make the periodic test was due to causes beyond the control of the District.
2. If the result of such tests shows an average error greater than 2% slow, the customer's bill for the period during which the meter error is known to have existed, shall be recomputed and the account adjusted on the basis of the test. If the period during which the meter error existed cannot be determined, then the customer's bill shall be recomputed for one-half ($1/2$) of the elapsed time since the last previous test, but in no event to exceed 12 months.

3. If the result of such tests necessitates making a refund or back billing a customer, the customer shall be notified in writing of the percentage of error, fast or slow, the date(s) of testing, and the amount of charge or credit to be shown on the next bill of the customer.
- J. Where a meter has ceased to register, or meter reading could not be obtained, the quantity of water consumed will be based upon an average of the prior six months consumption and the conditions of water service prevailing during the period in which the meter failed to register.
- K. The District shall make all reasonable efforts to eliminate interruption of service and when such interruptions occur will endeavor to reestablish service with the shortest possible delay. When the service is interrupted all consumers affected by such interruption will be notified in advance whenever it is possible to do so.
- L. The District shall in no event be held responsible for any claim made against it by reason of the breaking of any mains or service pipes or by reason of any other interruption of the supply of water caused by the failure of machinery or stoppage for necessary repairs. No person shall be entitled to damages nor for any portion of a payment refunded for any interruption of service which in the opinion of the District may be deemed necessary.
- M. Customers having boilers and/or pressure vessels receiving a supply of water from the District must have a check valve on the water supply line and a vacuum valve on the stream line to prevent collapse in case the water supply from the District is discontinued or interrupted for any reason, with or without notice.
- N. The premises receiving a supply of water and all service lines, meters and fixtures, including any fixtures within said premises, shall at all reasonable hours be subject to inspection by the District.
- O. Piping on the premises of a customer must be so installed that connections are conveniently located with respect to the District lines and mains. The customer shall provide a place for metering which is unobstructed and accessible at all times.
- P. (1) An extension of fifty (50) feet or less to the District's distribution main shall be made without charge (other than the prescribed standard connection charge) for a prospective customer who shall apply for and contract to use service for one (1) year or more and who provides a guarantee for such service.

(2) For each extension to the District's distribution main in excess of fifty (50) feet, the District shall require the customer to whose premises such extension is made to deposit with the District the total cost of the excessive footage over fifty (50) feet, based on the average estimated cost per foot of the total extension. Such deposit may be refundable to the customer in certain instances, in accordance with Title 807 KAR 5:066, Section 12(2)(b).

- Q. If any loss or damage to the property of the District or any accident or other injury to persons or property is caused by or results from the negligence or wrongful action of the customer, member of his household, his agent, or employee, as determined by a court of law having jurisdiction over the parties, the cost of the necessary repairs or replacements shall be paid by the customer to the District, and any liability otherwise resulting shall be that of the customer.
- R. Water furnished by the District may be used for domestic consumption by the customer, member of his household, and employees only. The customer shall not sell the water to any other person.
- S. All customers shall grant or convey, or shall cause to be granted or conveyed, to the District a perpetual easement and right of way across any property owned or controlled by the customer wherever said easement or right of way is necessary for the District water facilities and lines so as to be able to furnish service to the customer.
- T. Complaints may be made to the operator of the system, whose decision may be appealed to the Commission of the District within ten days; otherwise, the operator's decision will be final.

I, the undersigned Secretary of the Meade County Water District, do hereby certify the foregoing to be a true and accurate copy of the By-Laws, Rules, and Regulations of said District as adopted by its Commission.

WITNESS my signature and the Seal of the District this August 5, 1986.

(Seal of District)

SECRETARY

MEADE COUNTY WATER DISTRICT
3600 FLAHERTY ROAD
VINE GROVE, KY 40175
(502) 828-3399

WATER SHORTAGE RESPONSE PLAN

Section 1. Purpose. The purpose of this Plan is to provide for the declaration of official phases of water supply shortages and the implementation of voluntary and mandatory water conservation measures throughout the MEADE COUNTY WATER DISTRICT in the event a shortage is declared.

Section 2. Definitions. These terms are applicable only for this Plan unless specifically noted.

(a). **"Customer"** shall mean any person or entity using water for any purpose from the MEADE COUNTY WATER DISTRICT water distribution system and for which either a regular charge is made or, in the case of bulk sales, a cash charge is made at the site of delivery.

(b). **"Raw Water Supplies"** shall mean all water potentially available to persons in the MEADE COUNTY WATER DISTRICT.

(c). **"Treated Water"** shall mean water that has been introduced by the MEADE COUNTY WATER DISTRICT into its water distribution system, including water offered for sale. Uses of treated water are classified as follows:

Essential Water Uses (Class 1):

The following uses of water, listed by site or user are essential.

Domestic:

- water necessary to sustain human life and the lives of domestic pets, and to maintain minimum standards of hygiene and sanitation.

Health Care Facilities:

- patient care and rehabilitation, including related filling and operation of swimming pools.

Water Hauling:

- sales of domestic use where not reasonably available elsewhere

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Public Use:

- firefighting,
- health and public protection purposes, if specifically approved by health officials.

Socially or Economically Important Uses (Class 2):

The following uses of water, listed by site or user type, are socially or economically important.

Domestic:

- personal, in-house water use including kitchen, bathroom and laundry.

Water Hauling:

non-domestic, when other sources are not reasonably available elsewhere.

Commercial and Civic Use:

- commercial car and truck washes,
- laundromats
- restaurants, clubs and eating places.
- schools, churches, motel/hotels and similar commercial establishments.

Outdoor Non-Commercial Watering:

- minimal watering of vegetable gardens.
- minimal watering of trees where necessary to preserve them.

Outdoor Commercial or Public Watering (using conservation methods and when other sources of water are not available or feasible to use):

- agricultural irrigation for the production of food and fiber or the maintenance of livestock,
- watering by arboretums and public gardens of national, state, regional or community significance where necessary to preserve specimens,
- watering by commercial nurseries at a minimum level necessary to maintain stock,

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- watering at a minimum rate necessary to establish or maintain revegetation or landscape plantings required pursuant to law or regulation,
- watering of woody plants where necessary to preserve them,
- minimal watering of golf course greens.

Recreational:

- operation of municipal swimming pools and residential pools that serve more than 25 dwelling units.

Air Conditioning:

- refilling for startup at the beginning of the cooling season,
- makeup of water during the cooling season,
- refilling specifically approved by health officials where the system has been drained for health protection or repair services.

Non-Essential Uses (Class 3):

Any water of water, as defined herein, is non-essential. The following uses of water, listed by site or user type, are non-essential.

Public Use:

- use of fire hydrants (excluding Class 1 and Class 2 uses), including use of sprinkler caps, testing fire apparatus and fire department drills,
- flushing of sewers and hydrants except as needed to ensure public health and safety as approved by health officials.

Commercial and Civic Use:

- serving water in restaurants, clubs, or eating places, except by customer request,
- failure to repair a controllable leak,
- increasing water levels in scenic and recreational ponds and lakes, except for the minimum amount required to support fish and wildlife.

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Ornamental Purposes:

- fountains, reflecting pools and artificial waterfalls.

Outdoor Non-Commercial Watering:

- use of water for dirt control or compaction,
- watering of annual or non-woody plants, lawns, parks, golf course fairways, playing fields and other recreational areas,
- washing sidewalks, walkways, driveways, paring lots, tennis courts or other hard-surface areas,
- washing down buildings or structures for purposes other than immediate fire protection,
- flushing gutters or permitting water to run or accumulate in any gutter or street.

Outdoor Commercial or Public Watering:

- expanding nursery facilities, placing new irrigated agricultural land in production, or planting of landscaping except when required by a site design review process,
- use of water for dirt control or compaction,
- watering of lawn, parks, gold course fairways, playing fields and other recreational areas,
- washing down buildings or structures for purposes other than immediate fire protection,
- flushing gutters or permitting water to run or accumulate in any gutter or street.

Recreations uses other than those specified in Class 2.

Non-commercial washing of motor and other vehicles.

Air Conditioning (see also Class 2 purposes);

- refilling cooling towers after draining.

(d) "Base Entitlement" shall mean the monthly usage for a customer during the same month of the preceding calendar year or the average per customer usage for each class of service during the same month of the preceding year.

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(e) "Curtailed Entitlement" shall mean the monthly usage for a customer after any curtailment percentage has been applied.

(f) "Curtailment" shall mean the reduction in entitlement by some percentage to meet anticipated water shortages.

(g) Water Shortage Response Phases:

"ADVISORY" shall mean that conditions exist which indicate the potential for serious raw or treated water supply shortages.

"ALERT" shall mean the raw or treated water supplies are consistently below seasonal averages, and if they continue to decline, may not be adequate to meet normal needs.

"EMERGENCY" shall mean that raw or treated water supplies are below the level necessary to meet normal needs and that serious shortages exist in the area.

(h) "RATIONING" shall mean that procedures must be established to provide for the equitable distribution of critically-limited raw or treated water supplies, in order to balance demand and limited available supplies, and to assure that sufficient water is available to preserve public health and safety.

Section 3. Applicability. The provisions of this Plan shall apply to all retail and wholesale customers of the MEADE COUNTY WATER DISTRICT. When implemented, this Plan becomes MEADE COUNTY WATER DISTRICT Water Shortage Response Regulation.

Section 4. Entitlements. Entitlements shall be established for each customer by adjusting the base entitlement to reflect any know change in usage pattern.

Section 5. Determination of Water Shortage. Water supply and usage shall be monitored on a continuous basis. Unrestricted demand shall be projected from past records and adjusted for changes such as new developments and weather conditions on a regular basis. (Note: A sample calculation page is attached as Appendix A to assist in determining overall water levels. It is important that accurate water measurements be used.) Water shortages generally occur for two reasons, a reduction in available supplies or a system failure. Each of these has a distinct influence on the nature and duration of the conservation program implemented.

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Official declaration of a water shortage stage and implementation of the measures necessary to curtail water use shall be approved by the Meade County Commissioners.

Section 6. Term of Water Shortage Declaration. Any water shortage declaration shall remain in effect until water supplies of service conditions have returned to normal. A final determination as to terminating a water shortage declaration shall be made by the COMMISSIONERS of MEADE COUNTY WATER DISTRICT.

Section 7. Water Shortage Stage, Criteria, Conservation and Curtailment Measures.

A. Advisory Stage:

(1) Criteria: A water advisory shall be declared when the amount of treated water or raw water available for treatment is projected to be up to 25 % below demand, or there are periods of low water pressure in one or more areas of the distribution system due to system failure or inadequacies or the State Division of Water issues a Water Shortage Watch which includes the area from which the MEADE COUNTY WATER DISTRICT draws water. (Note: Additional conditions may be added based on local conditions.)

(2) Conservation and Curtailment Measures:

- (a) Declare a Water Shortage Advisory.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Request voluntary conservation of all non-essential (Class 3) water use.
- (e) Request wholesale customers also issue request for voluntary conservation by their customers of all non-essential (Class 3) water use.

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B. Alert Stage:

(1) Criteria: A water alert shall be declared when the amount of treated water available is projected to be up to 35 % below demand, or raw water supplies are consistently below seasonal averages and if

they continue to decline, may not be adequate to meet normal needs. (Note: Additional conditions may be added based on local conditions.)

(2) Conservation and Curtailment Measures:

- (a) Declare Water Shortage Alert.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Prohibit all non-essential (Class 3) water uses.
- (e) Curtail entitlements to all customers by the same percentage as the projected shortage.
- (f) Begin billing all customer water usage in excess of curtailed entitlement at the normal rate plus an excess usage charge of \$7.00 per 1,000 gallons.

C. Emergency Stage:

- 1. Criteria: A Water Emergency shall be declared when the amount of treated water available is projected to be up to 45 % below demand, or there are periods of no water in one or more areas of the distribution system due to low water supply or raw water supplies below the level necessary to meet normal needs. (Note: Additional conditions may be added based on local conditions.)
- 2. Conservation and Curtailment Measures:
 - (a) Declare Water Shortage Emergency.
 - (b) Provide proper notice to all customers and to all local news media.
 - (c) Eliminate all water leaks.
 - (d) Prohibit all Class 3 uses of water.
 - (e) Prohibit all Class 2 uses of water except Domestic uses for kitchens, bathrooms and laundries.

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- (f) Curtail all commercial and industrial entitlements (except Health Care Facilities) by 100%.
- (g) Curtail Residential entitlements by the same percentage as the projected shortage.
- (h) Curtail entitlements to all wholesale customers by the same percentage as the projected shortage.
- (i) Begin billing all customer water usage in excess of curtailed entitlement at the normal rate plus an excess usage charge of \$15.00 per 1,000 gallons.

D. Rationing Stages:

1. Criteria: Treated water available is greater than 65 % below demand or raw water supplies are below the level necessary to meet essential needs, and in the opinion of the MEADE COUNTY WATER DISTRICT, mandatory rationing is required to insure adequate water is available to maintain public health and safety.

2. Conservation and Curtailment Measures:

- (a) Declare Water Shortage Rationing.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Prohibit all Class 3 and Class 2 uses of water.
- (e) Curtail all commercial and industrial entitlement (except Health Care Facilities) by 100 %.
- (f) Curtail all residential and wholesale entitlements by the same percentage as the projected shortage.
- (g) Implement service interruptions to portions of system in accordance with approved published schedule. The schedule shall be provided to all local media.

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- (h) Begin billing customer water usage in excess of curtailment entitlement at the normal rate plus an excess usage charge of \$15.00 per 1,000 gallons.

Section 8. Enforcement of Water Restriction. Any person who violates the provisions of this Plan, who fails to carry out the duties and responsibilities imposed by this Plan, or who impedes or interferes with any action undertaken or ordered pursuant to this Plan shall be subject to the following:

- (a) If the utility official charged with implementation and enforcement of this Plan learns of any violation of any water use restriction imposed, a written notice of the violation shall be affixed to the property where the violation occurred and mailed to the customer of record. Said notice shall describe the violation and order that it be corrected, cured, or abated immediately or within 48 hours.
- (b) The notice will inform the customer of his or her right to appeal by requesting a hearing before the utility's designee. If a hearing is requested by the customer, he or she shall be given full opportunity to be heard or she shall be given full opportunity to be heard before termination. The governing body shall make findings of fact and decide whether service should continue or terminate.
- (c) Any customer whose water service is terminated for violating provisions of this water curtailment plan shall be subject to the approved reconnection fee prior to reconnection of service.
- (d) The excess usage charge billing provisions of this Plan shall not be put in effect if a county or city ordinance containing penalty provisions is in effect to assist enforcement of this Plan.

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Section 9. Request for Exception.

- (a) Exception to water use restrictions:
If compliance with any curtailment measure authorized herein would cause a customer to extraordinary hardship, that individual or entity may apply to the MEADE COUNTY WATER DISTRICT for an exception. For these purposes, "extraordinary

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hardship" shall be defined as a condition which may threaten health and safety, or cause to be substantially more severe than the sacrifices borne by other users. If extraordinary hardship is found to exist, then an exception shall be granted and a written waiver issued to the customer. If an appeal is made, water service shall be continued until a decision is announced. Any person aggrieved by the decision may file a complaint with the Public Service Commission.

- (b) Exception to curtailment surcharge: Exceptions to excess use charges shall not be considered or granted.

Section 10. Severability. If any provision of this Plan is declared invalid by the courts, the remainder of the Plan and its applicability to other persons and circumstances shall not be affected by that declaration.

Section 11. Effective Date. This Plan shall take effect immediately upon approval by the Public Service Commission.

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